

HIGH COURT OF CHHATTISGARH, BILASPUR

- Dharam Lal Anant S/o Late Shri Bhurva Anant Aged About 61 Years Caste Satnami (Scheduled Caste). Occupation Service (Posted As Inspector At Khadi Tatha Gram Udhayog Board, Zila Panchayat Mungeli, District Mungeli Chhattisgarh. R/o C/o Ramkumar Baghel, Plot No. 3, Prithvi Green Colony, Phase II, Behind Collector Bungalow, Mungeli, Post, Police Station And Tahsil Mungeli, District Mungeli Chhattisgarh.

Versus

- Rajesh Singh Rana Posted As Managing Director (I.A.S.) Chhattisgarh, Khadi Tatha Gram Udhayog Board, Gandhi Bhawan, Keyur Bhushan Smriti Parisar , Indoor Stadium Parisar, Kankali Para , Raipur , District Raipur Chhattisgarh.

---- Respondent

For Petitioner :- Mr. Surfaraj Khan, Advocate

Proceedings through Video Conferencing

Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

17/07/2020

1. Heard.
2. While allowing the writ petition challenging fastening of penalty of recovery of loss suffered by the C.G. Khadi Gram

Udhyog Board, this Court allowed liberty to initiate fresh proceedings in accordance with law and conclude the same as early as possible.

3. It is argued that the recovery was already effected and a sum of ₹78,006/- was already recovered from the concerned employee but the same has not been refunded to the petitioner neither fresh proceeding has been drawn.
4. It appears while quashing the order of recovery this Court has not passed any consequential order for refund of the already recovered amount. Similarly, for drawing of fresh proceeding liberty was allowed but there was no direction to necessarily initiated fresh proceeding.
5. In the opinion of this Court, the appropriate remedy for the petitioner is to move fresh writ petition for the reason that this Court has not passed any order of refund. Even otherwise, the contempt petition has been filed after six years.
6. In view of the above, the contempt petition is disposed of with the liberty afore-stated.

SD/-

(Prashant Kumar Mishra)
Judge

Ayushi